STAND. COM. REP. NO. 2860

Honolulu, Hawaii MAR 1 3 2014

RE: S.C.R. No. 17

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

## Madam:

Your Committee on Water and Land, to which was referred S.C.R. No. 17 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT LAIE, KOOLAULOA, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING REVETMENT AND STEPS, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement covering a portion of state submerged lands at Laie, Koolauloa, Oahu, for the maintenance and repair of the existing revetment and steps, and for use, maintenance, and repair of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that on November 13, 2012, the Department of Land and Natural Resources, Office of Conservation and Coastal Lands indicated its support for the issuance of an easement to resolve the encroachments of a revetment and steps on state submerged lands fronting the property identified as Tax Map Key: (1) 5-5-002: seaward of 034, Laie, Koolauloa, Oahu. Around 2013, the Department worked with the owner, Bathtub Beach LLC, to resolve the encroachments.



At its meeting of May 24, 2013, under agenda item D-11, the Board of Land and Natural Resources approved a grant of a 55-year non-exclusive easement to resolve the encroachments.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 17 and recommends that it be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Water and Land,

MALAMA SOLOMON, Chair

## The Senate Twenty-Seventh Legislature State of Hawai'i

## Record of Votes Committee on Water and Land WTL

| Bill / Resolution No.:*  | Committee  | Referral:   | Da                                    | te:      | r        |
|--|--|-------------|---------------------------------------|----------|----------|
| SCR 17   | WTL,   | WAM         |                                       | 3/10/    | 14       |
| The committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:   |  |             |                                       |          |          |
| The Recommendation is:   |  |             |                                       |          |          |
| Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313  |  |             |                                       |          |          |
| Members  |  | Aye         | Aye (WR)                              | Nay      | Excused  |
| SOLOMON, Malama (C)  |  | <b>✓</b>    |                                       |          |          |
| GALUTERIA, Brickwood (VC)  |  |             |                                       |          | /        |
| DELA CRUZ, Donovan M.  |  |             |                                       |          | <b>✓</b> |
| IHARA, Jr., Les  |  |             |                                       |          | <b>/</b> |
| RUDERMAN, Russell E.   |  | V.          |                                       |          |          |
| SHIMABUKURO, Maile S.L.  |  | <b>V</b>    | 1                                     |          |          |
| TANIGUCHI, Brian   |  | <b>V</b> ,  |                                       |          |          |
| THIELEN, Laura H.  |  |             |                                       |          |          |
| SLOM, Sam  |  |             |                                       |          | <b>✓</b> |
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| TOTAL  |  | 6           | · · · · · · · · · · · · · · · · · · · |          | t I      |
| TOTAL  |  |             |                                       |          | 4        |
| Recommendation:  Adopted Not Adopted   |  |             |                                       |          |          |
| Chair's or Designee's Signature:   |  |             |                                       |          |          |
| Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy |  |             |                                       |          |          |

\*Only one measure per Record of Votes